

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

v.

FREDDY LANGFORD

*** CRIMINAL NO: 11-158**

*** SECTION: "L"(3)**

*** VIOLATION: 16 U.S.C. § 3372(a)(2)(a)**
16 U.S.C. § 3373(d)(2)
*** 18 U.S.C. § 2**

*** * ***

F A C T U A L B A S I S

Should this matter proceed to trial, both the government and the defendant, **FREDDY LANGFORD** (hereinafter "defendant" or "**LANGFORD**"), do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial. The Government and the defendant further stipulate that the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the superseding Bill of Information now pending against the defendant:

The Government would show that at all times mentioned in the superseding Bill of Information, **LANGFORD** was a resident of Lakeland, Florida. **LANGFORD** owned, operated, and served as the President, Chief Executive Officer, and Director of a company named "**Langford**

Aquatics.” Langford Aquatics was based, and had its primary place of business located, in Lakeland, Florida. Among other things, **Langford Aquatics** produced, raised, sold, and transported fish to be used in the stocking of private ponds. Among the species of fish **Langford Aquatics** raised and sold was live tilapia.

Government witnesses would testify that tilapia, fish native to Africa, are exotic species capable of displacing native fish. Because of tilapia’s non-native status, its invasiveness, and its threat to the local ecosystem, Louisiana strictly regulates the importation and possession of live tilapia. Specifically, tilapia are currently prohibited from being possessed in Louisiana except under extremely restrictive permits issued by the State of Louisiana, through the Louisiana Department of Wildlife and Fisheries, to certain tilapia producers. The laws restricting the importation, sale, and possession of tilapia were codified in LA. Rev. Stat. § 56:319 and LA Rev. Stat. § 76:903.

Witnesses for the Government would testify, and documents and records introduced by the Government would demonstrate that in or about July 2003, **LANGFORD**, as representative of **Langford Aquatics**, was retained by **Company A** to stock a fishing pond owned by **Company A** located in the Eastern District of Louisiana.

The Government would further establish through witness testimony and documentary evidence that as a result of this agreement, in or about June 2006, **LANGFORD**, as representative of **Langford Aquatics**, agreed to sell **Company A** a quantity of live tilapia and to transport that quantity from Lakeland, Florida, to the pond located in the Eastern District of Louisiana.

The Government would further establish through documentary evidence that on or about July 17, 2006, **LANGFORD** traveled from Lakeland, Florida to the Eastern District of Louisiana via truck carrying the quantity of live tilapia for the purpose of delivering it to Company A. On or about

July 17, 2006, **LANGFORD** arrived at **Company A's** fishing pond, located in the Eastern District of Louisiana, delivered the quantity of live tilapia to **Company A**, and released it into Company A's fishing pond.

At not point did **LANGFORD** apply for, request, or receive a permit from the Louisiana Department of Wildlife and Fisheries allowing him to transport, possess, or sell live tilapia in Louisiana. Furthermore, at not point did **LANGFORD** notify the Louisiana Department of Wildlife and Fisheries that he intended to bring, and introduce, into the State of Louisiana a shipment of live tilapia.

In the exercise of due care, **LANGFORD** should have known that he possessed, transported, and sold live tilapia in violation of Louisiana law, specifically LA. Rev. Stat. § 56:319 and LA Rev. Stat. § 76:903 .

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, agents from the United States Fish and Wildlife Service, documents and records obtained by USFWS, and the statements of the defendant, **FREDDY LANGFORD**.

FREDDY LANGFORD
Defendant

DATE

RICHARD H. SMITH
Counsel for Defendant

DATE

JORDAN GINSBERG
Assistant United States Attorney

DATE